

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

RESS MAIL LABEL No.
839858763US

DATE
August 16, 2000

ATTORNEY'S DOCKET NO.
A33251

U.S. APPLICATION NO.
To Be Assigned

09/622385

INTERNATIONAL APPLICATION NO.
PCT/EP99/01017

INTERNATIONAL FILING DATE
February 18, 1999

PRIORITY DATE CLAIMED
February 2, 1998

TITLE OF INVENTION

Process for preparing trifluoro-3(R)-hydroxybutyric acid derivatives

APPLICANT(S) FOR DO/EO/US

Lonza, AG (Geschäftsleitung: 4002 Basel), CH-3945 Gampel CH

Applicant herewith submits to the United States Designated /Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☒ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☒ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☒ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
11. to 16. below concern other document(s) or information included:
 11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
 12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
 13. ☐ A FIRST preliminary amendment.
 14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
 15. ☐ A substitute specification.
 16. ☐ A change of power of attorney and/or address letter.
 17. ☒ Other items or information: Deposit Receipts of Microorganisms DSM 12566 and DSM 11902.

INTERNATIONAL APPLICATION NO.
PCT/EP99/01017INTERNATIONAL FILING DATE
February 18, 1999PRIORITY DATE CLAIMED
February 18, 1998

17. [X] The following fees are submitted:

533 Rec'd PCT/PTO 16 AUG 2000

CALCULATIONS PTO USE ONLY

Basic National Fee (37 CFR 1.492(a)(1)-(5):

Neither international preliminary examination fee (37 CFR 1.482)

Nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO (1.492(a)(3)) \$970.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO (1.492(a)(5)) \$840.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO (1.492(a)(2)) \$690.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) (1.492(a)(1)) \$670.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT = \$840.00

Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [X] 30 months from the earliest claimed priority date (37 C.F.R. 1.492)(e)).

\$130.00

Claims	Number Filed	Number Extra	Rate	\$
Total Claims	6-20		X \$ 18.00	\$
Independent Claims	1-3		X \$ 78.00	\$
Multiple dependent claim(s) (if applicable)			+ \$260.00	\$
TOTAL OF ABOVE CALCULATIONS				= \$970.00

Reduction by ½ for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).

\$

SUBTOTAL = \$970.00

Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

+ \$

TOTAL NATIONAL FEE = \$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+ \$

TOTAL FEES ENCLOSED = \$970.00

Amt. refunded \$

charged \$970.00

- a. [X] A check in the amount of \$970.00 to cover the above fees is enclosed.
- b. [] Please charge our Deposit Account No. 02-4377 in amount of \$_____ to cover the above fees. A copy of this sheet is enclosed.
- c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4377. A copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

BAKER BOTTS L.L.P.
30 Rockefeller Plaza
New York, New York 10112-4498

By Carroll L. Stephens
Reg. No. 41,328
Henry Tang

Henry Tang

Date

Aug. 16, 2000

Registration No. 29,705